

Joseph J. Joyce, III
Matthew J. Carmody
Lawrence J. Moran, Jr.
JOYCE, CARMODY & MORAN, P.C.
9 N. Main Street, Suite 4
Pittston, PA 18640
Ph: (570) 602-3560
Fax: (570) 602-3561

Attorneys for Defendant
Whitestone Healthcare Group, LLC

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

SVETLANA GITERMAN,

Plaintiff,

v.

**POCONO MEDICAL CENTER,
POCONO HEALTH SYSTEM and
WHITESTONE HEALTHCARE
GROUP, LLC d/b/a WHITESTONE
CARE CENTER,**

Defendants.

CIVIL ACTION – LAW

JURY TRIAL DEMANDED

**THE HONORABLE
MALACHY E. MANNION**

No. 3:16-cv-00402-MEM

**DEFENDANT WHITESTONE HEALTHCARE GROUP, LLC'S
MOTION FOR SUMMARY JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 56 and Local Rule 56.1, Defendant Whitestone Healthcare Group, LLC, by and through its undersigned counsel, respectfully requests that this Court enter judgment in its favor and against Plaintiff Svetlana Giterman. In support of this motion, Defendant Whitestone Healthcare Group, LLC relies on and incorporates herein by reference its statement of undisputed material facts as to which no genuine issue remains to be tried, appendix of exhibits and supporting brief, which will be filed in accordance with Local Rule 7.5.

WHEREFORE, Defendant Whitestone Healthcare Group, LLC respectfully requests that this Court grant its motion for summary judgment and dismiss Plaintiff Svetlana Giterman's amended complaint (Doc. 23), with prejudice.

Respectfully submitted,

s/Joseph J. Joyce, III

Joseph J. Joyce, III

Matthew J. Carmody

Lawrence J. Moran, Jr.

Joyce, Carmody & Moran, P.C.

9 N. Main St., Suite 4

Pittston, PA 18640

Ph: (570) 602-3560

Fax: (570) 602-3561

Email: jjj@joycecarmony.com

Attorneys for Defendant

Whitestone Healthcare Group, LLC

DATED: September 11, 2018

CERTIFICATE OF NONCONCURRENCE

I, Joseph J. Joyce, III, counsel for Defendant Whitestone Healthcare Group, LLC hereby certify and affirm that Plaintiff Svetlana Giterman does not concur in this motion.

s/ Joseph J. Joyce, III

Joseph J. Joyce, III

DATED: September 11, 2018

Joseph J. Joyce, III
Matthew J. Carmody
Lawrence J. Moran, Jr.
JOYCE, CARMODY & MORAN, P.C.
9 N. Main Street, Suite 4
Pittston, PA 18640
Ph: (570) 602-3560
Fax: (570) 602-3561

Attorneys for Defendant
Whitestone Healthcare Group, LLC

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

SVETLANA GITERMAN,

Plaintiff,

v.

**POCONO MEDICAL CENTER,
POCONO HEALTH SYSTEM and
WHITESTONE HEALTHCARE
GROUP, LLC d/b/a WHITESTONE
CARE CENTER,**

Defendants.

CIVIL ACTION – LAW

JURY TRIAL DEMANDED

**THE HONORABLE
MALACHY E. MANNION**

No. 3:16-cv-00402-MEM

CERTIFICATE OF SERVICE

I, Joseph J. Joyce, III, hereby certify that a true and correct copy of Defendant Whitestone Healthcare Group, LLC's motion for summary judgment was served upon the following counsel of record via ECF and via United States first class mail addressed as follows:

John J. Jacko, III
Fellheimer & Eichen, LLP
2 Liberty Place, 34th Floor
50 South 16th Street
Philadelphia, PA 19102

Counsel for Plaintiff Svetlana Giterman

Andrew Rozynski
Eric Baum
Eisenberg & Baum, LLP
24 Union Square East, 4th Floor
New York, NY 10003

Counsel for Plaintiff Svetlana Giterman

Gerald J. Hanchulak
The Hanchulak Law Offices, P.C.
604 South State St.
Clarks Summit, PA 18411

Counsel for Defendants Pocono Medical
Center and Pocono Health System

s/ Joseph J. Joyce, III
Joseph J. Joyce, III

DATED: September 11, 2018